

**U.S. Department of Justice**

*United States Attorney
Middle District of Alabama*

One Court Square, Suite 201
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Civil Fax 334/223-7418
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August 23, 2006

VIA FACSIMILE - (205) 251-0231

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Henry L. Penick, Esq.
H.L. PENICK & ASSOC., P.C.
P.O. Box 967
Birmingham, AL 35201-0967

Re: Windsor v. Harvey
Civil Action #: 01:05-cv-1196-MEF

Dear Mr. Penick:

If my records are correct, I have not yet received any initial disclosures from you in the above-styled cause. If same have been forwarded, please contact me so that we can discuss this issue further.

Please note that by letter dated May 25, 2006 (copy enclosed), I forwarded the defendant's initial disclosures and requested that you forward the plaintiff's to me at your earliest convenience. I would appreciate your initial disclosures in this matter as soon as possible. If same are not received within 10 days of this letter, I will, regrettably, be left with no choice but to file a Motion to Compel same and / or take other measures that may be warranted under the circumstances.

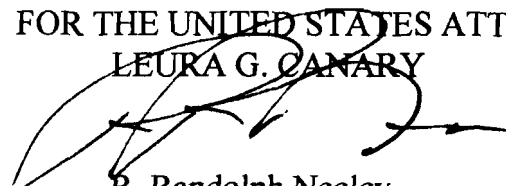
Finally, I propose to take Ms. Windsor's deposition in this matter on September 13, 2006. I will forward a Notice of Deposition for same in the immediate future. If this date is not convenient for you or Ms. Windsor, please contact me so that a mutually agreeable date may be arranged.

Henry L. Pencik, Esq.
August 23, 2006
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If you have any questions, or if I may be of any assistance, please do not hesitate to contact me.

Sincerely,

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY



R. Randolph Neeley
Assistant United States Attorney

Enclosure



U.S. Department of Justice

United States Attorney
Middle District of Alabama

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May 25, 2006

VIA FIRST CLASS MAIL

Henry L. Penick, Esq.
H.L. PENICK & ASSOC., P.C.
P.O. Box 967
Birmingham, AL 35201-0967

Re: Windsor v. Harvey
Civil Action #: 01:05-cv-1196-MEF

Dear Mr. Penick:

It has come to my attention that we have not exchanged initial disclosures in this matter. Enclosed is a list of exhibits currently available to me, the most of which are not privileged or otherwise non-discoverable. These are available in my office at your convenience, or feel free to call me and we can work out getting them copied. Also attached is a list of potential witnesses that may have discoverable information to support our claims and defenses. Needless to say, we have no computation of damages nor is there any insurance available to satisfy any judgment against us.

I would appreciate your initial disclosures in this matter as soon as convenient.

If you have any questions, or if I may be of any assistance, please do not hesitate to contact me.

Sincerely,

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY

A handwritten signature in black ink, appearing to read "R. Randolph Neeley", written over the typed name.

R. Randolph Neeley
Assistant United States Attorney

Enclosures

FACSIMILE TRANSMISSION COVER PAGE

TO: Henry L. Penick, Esq.

FROM: R. Randolph Neeley, Assistant United States Attorney

ORGANIZATION: United States Attorney, Middle District of Alabama
 One Court Square, Suite 201, Montgomery, AL 36104
 Telephone: 334/223-7280 FAX: 334/223-7560

NO. OF PAGES: ~~2~~ 3 (EXCLUDING THIS COVER SHEET)

CONTENTS: Letter

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P.1

** Transmit Conf. Report **

Fax:3342237560

US ATTORNEY

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PS Form 3800, July 1993 See Reverse for Instructions	

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